

Feedback on Draft 2 from Erin Donnally Drake

February 22, 2021

Erin Donnally Drake

10:53 AM
(11
minutes
ago)

to me

Tammy,
Are you able to send this out to the Charter Committee?

Thank you,
Erin Donnally Drake

Dear David and Committee,

Unfortunately, I have to attend to a personal matter this evening and will have to duck out of the meeting from 6:15-7:00. I have gone through the materials from David and have included my thoughts for tonight's topics below since I will be absent for some of the meeting.

Best,
Erin Donnally Drake

Draft 2

Mayoral temporary vacancy:

- I am assuming that this section only pertains when the absence means the mayor is not able to perform their duties, ie. not when they are away at a conference and can still remain engaged in business of the town remotely.
- 21 *business* days is a long time to go if a mayor is not performing their duties. It is an entire month.
- The new proposal is to make the Chief of Staff the designee, but I do not believe the Chief of Staff is codified in the Charter. Does that petition need to be added to the Charter?

Board of Health

I think what is included in Draft 2 is adequate. Based on the reading of the law and looking at organizations from other local municipalities, it does not seem so clear cut as to how the Board of Health, the Health Director, and the city should be structured. It did not seem to be stated explicitly in any charter I reviewed.

As for the proposed language from Glen Ayers, if Council were to accept the spirit of it, I would suggest that we try to adjust the language to not refer to an exception for the Health Director in the Executive section. Can we make the exception language more general like "unless otherwise stipulated in the Charter" and then add language in the Board of Health Section? Additionally, if we add language establishing a Health Department as suggested in the recommendation, are we then adopting the MGL that requires a commissioner and advisory council? Rather, in our case, the Director and any other staff become staff of the Board of Health and not a department?

As some supplemental information, I found the following links on the Northampton and Pittsfield websites. You will see some org charts from different cities and towns and their boards of health:

<http://northamptonma.gov/DocumentCenter/View/3403/Organizational-Charts-PDF?bidId=>

https://www.cityofpittsfield.org/city_hall/finance_and_treasurer/Budgets/FY16_City_Budget/Tab_12_Organizational_Charts.pdf

Public Safety Commission

I am satisfied with what is included in Draft 2. In terms of the draft from Councilor Forgey, I have the following comments:

- Compensation- I would think that if we were to add any compensation to this board, we would want to look more broadly at what boards are compensated, if any, and the reasons why some would be compensated and others not compensated. I am unclear why the charter currently states that members should not be compensated when other sections regarding boards does not. I think it is not prudent to add compensation at this time.
- Requesting fewer months of retirement before can become board members. I think a shorter time after retirement before able to serve is in order only if retirees on the board are less than the majority.
- Hearing officer section- can that be an ordinance rather than in the charter?

Elections

Recommend to remove the paragraph about why to add or not to add ranked choice voting.

Citizen Referendum and Citizen Initiative

I think the language here is much better than the original 2010 charter. I do think there should be more discussion, however, about whether or not to remove the Supplemental Petition. If we remove that part, why even have something reconsidered by the council in the first place? Why not have a higher bar that goes directly to the voters or allow for two paths: 1) the petitioners to choose a lower amount of signers to get reconsidered by council or 2) a higher amount of voters to go straight to the ballot? I don't think the language and the step as written is "punitive." I think there should be a higher bar for taking something to an election, especially if a special election has to be administered.